

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. CR12-062-RSL
v.)
MACALIA VALENZUELA,)
Defendant.)
DETENTION ORDER

Offense charged: Conspiracy to Distribute Heroin and Methamphetamine

Date of Detention Hearing: April 11, 2012.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. There is an active extraditable warrant out of Snohomish County Superior Court
04 based on a failure to appear for arraignment in 2008 on charges of Possession of a Controlled
05 Substance. Based on the warrant, defense counsel does not contest detention. If the warrant
06 is quashed, defense counsel indicates he may wish to ask the Court to revisit the detention issue.

07 3. Taken as a whole, the record does not effectively rebut the presumption that no
08 condition or combination of conditions will reasonably assure the appearance of the defendant
09 as required and the safety of the community.

10 It is therefore ORDERED:

- 11 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
12 General for confinement in a correction facility separate, to the extent practicable, from
13 persons awaiting or serving sentences or being held in custody pending appeal;
- 14 2. Defendant shall be afforded reasonable opportunity for private consultation with
15 counsel;
- 16 3. On order of the United States or on request of an attorney for the Government, the
17 person in charge of the corrections facility in which defendant is confined shall deliver
18 the defendant to a United States Marshal for the purpose of an appearance in connection
19 with a court proceeding; and
- 20 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
21 for the defendant, to the United States Marshal, and to the United State Pretrial Services
22 Officer.

01 DATED this 11th day of April, 2012.

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Mary Alice Theiler
United States Magistrate Judge